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PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0095-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: )  
 )  
Thomas O. BALES et al. ) Group Art Unit: 3736  
 )  
Patent No. 6,024,708 ) Examiner: S. Gilbert  
(Application No.: 08/928,453) )  
 )  
Issued: February 15, 2000 )  
(Filed: September 12, 1997) )  
 )  
For: RADIAL JAW BIOPSY FORCEPS )

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
APR 29 2004  
OFFICE OF PETITIONS

Sir:

**PETITION FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED  
MAINTENANCE FEE PAYMENT AND REINSTATEMENT OF  
EXPIRED PATENT UNDER 37 C.F.R. § 1.378(c)**

The undersigned received a Notice of Patent Expiration dated March 17, 2004 indicating that U.S. Patent No. 6,024,708 expired on February 17, 2004 for failure to timely pay the maintenance fee in accordance with 37 C.F.R. § 1.362(e). Since the failure to pay the maintenance fee was unintentional, the undersigned hereby petitions for acceptance of delayed maintenance fee payment and reinstatement of the expired patent.

In accordance with 37 C.F.R. § 1.378(c), this Petition is timely filed within twenty-four (24) months after the six-month grace period provided in 37 C.F.R. § 1.362(e) and is accompanied by the required maintenance fee of \$910.00 due at 3.5 years after the

grant of this patent, as set forth in 37 C.F.R. § 1.20(e), and the surcharge of \$1,640.00, as set forth in 37 C.F.R. § 1.20(i)(2). The undersigned states that the entire delay in paying the required maintenance fee from the due date for the payment until the filing of this Petition was unintentional.

Therefore, the undersigned respectfully requests that the Commissioner accept the delayed maintenance fee payment and reinstate the above-identified patent so that the patent shall be considered as not having expired under 37 C.F.R. § 1.378.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent or any patent to which this verified statement is directed.

If there are any other fees due in connection with the filing of this Petition, the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 26, 2004

By: 

Leslie I. Bookoff  
Reg. No. 38,084